

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

IA NO: GA-COM/1/2024
APOT/247/2024
WITH
CS-COM/681/2024

M/S. ASHIRVAD PROPERTIES PVT. LTD. & ORS
VS
MUMUSO RETAIL PVT. LTD.

(Commercial Division)

BEFORE

The Hon'ble Justice I.P. MUKERJI

-And-

The Hon'ble Justice BISWAROOP CHOWDHURY

Date: 12th August, 2024

Mr. Suddhasatva Banerjee
with Mr. Soumabho Ghose,
Mr. Pushan Kar,
Mr. Sagnik Majumdar &
Ms. A. Banerjee, Advs.
...for the appellants.

Mr. Reetobroto Mitra with
Mr. Ishaan Saha &
Mr. Aishwarya Kr. Awasthi, Advs.
...for the respondent.

We feel that the plaintiff has been adequately protected by our order dated 3rd July, 2024 and that no further order is necessary.

Dispensing with all formalities we dispose of this appeal by confirming the order dated 3rd July, 2024, thereby modifying the impugned judgement and order dated 10th June, 2024.

On the submission of Mr. Banerjee, learned advocate appearing for the appellants, we only clarify that in case the annual report of the appellant has not been prepared, a statement certified by its Director or Company Secretary may be furnished.

In the impugned order dated 10th June, 2024 the returnable date of the application has not been specified.

By a subsequent order of the learned single judge dated 26th July, 2024, the interim application was directed to appear on 16th August,

2024. This order was made in view of the pendency of the appeal before us.

By consent of learned counsel for the parties, let affidavits be exchanged in the interim application according to the following directions:

Affidavit-in-opposition be filed by 31st August, 2024. Affidavit-in-reply may be filed on 9th September, 2024.

List this application before the learned single judge on 11th September, 2024 subject to the convenience of the bench.

The appeal (APOT/247/2024) and the application (GA-COM/1/2024) are accordingly disposed of.

(I.P. MUKERJI, J.)

(BISWAROOP CHOWDHURY, J.)